

# **MEDIA ADVISORY**

**Office of Attorney General Terry Goddard**



STATE OF ARIZONA  
DEPARTMENT OF LAW  
1275 W. Washington Street  
Phoenix, Arizona 85007-2926

CONTACT:  
**Dianna Jennings**  
**PRESS OFFICE**  
Phone: (602)-542-8019

**FOR IMMEDIATE RELEASE**

---

## **U.S. District Court issues final approval order in late-stage cancer medication antitrust case** **Deadline to file claims in the Taxol® settlement extended until January 31, 2004**

(Phoenix, Arizona—December 2, 2003) Arizona Attorney General Terry Goddard announced today that the deadline to file claims in the Taxol® antitrust case has been extended through January 31, 2004.

Although thousands of claims have already been filed nationally, the deadline has been extended to give consumers additional time to act on their legal rights. Cancer patients who took the medication Taxol® or its generic equivalent paclitaxel between January 1, 1999, and February 28, 2003, or their heirs, may be entitled to money from a \$12.5 million fund created as part of a settlement of a nationwide antitrust lawsuit brought by the Attorneys General of all 50 states, Puerto Rico, the District of Columbia, the Territories and Commonwealths. The case alleged that the drug makers violated antitrust laws and overcharged consumers purchasing Taxol®/ paclitaxel.

Concurrently, U.S. Federal District Court Judge Emmet G. Sullivan issued an order granting final approval to the settlement and ruled that it was both fair and reasonable. The settlement, which provides \$55 million in cash and approximately \$7.5 million in drugs for medically indigent patients, includes \$12.5 million for consumers in restitution for overcharges they paid.

Goddard recently sent a letter to 108 Arizona oncologists telling them of the deadline extension. In the letter were notice packets containing claim forms and information about the settlement. Goddard told the oncologists "You would provide a great service to this office and your patients by mailing these notices to the families of your patients who have been treated with Taxol® or paclitaxel."

Patients (or families of patients) who took Taxol® or paclitaxel between January 1, 1999 and February 28, 2003 can get complete information at [www.taxolsettlement.com](http://www.taxolsettlement.com) or by calling 1-800-659-7609.

"An extension in this case is good news for patients because it means more of them will be able to benefit from appropriate reimbursements," said Peter Eisenberg, M.D., a practicing oncologist in Greenbrae, California who treats many cancer patients. "Patients who think they may be affected should learn about their eligibility as soon as possible." Claims must now be postmarked by January 31, 2004.

*Deadline to file Taxol claims...December 2, 2003...page two of two*

It is estimated that as many as 400,000 cancer patients could be affected by the case. The settlement provides approximately \$12.5 million to reimburse them, or the legal representative for a deceased Taxol®/paclitaxel user, some portion of what they paid for the drug or to reimburse insured patients for out-of-pocket costs not paid for by insurers. Individuals could receive funds in the range of \$400 - \$2,600. Additionally, approximately \$7.5 million worth of Taxol® will be provided to the states for compassionate care treatment of lower income cancer patients.

Taxol® is Bristol-Myers Squibb's brand name for the cancer drug paclitaxel (also marketed as Onxol®), an FDA-approved treatment for non-small cell lung cancer, breast and ovarian cancers and AIDS-related Kaposi's sarcoma. Breast cancer is the second most common cancer among women, with more than 211,000 new diagnoses each year. Ovarian cancer is the sixth most common cancer among women, with more than 25,000 new cases each year.

Patients who paid for part or all of their treatments with Taxol® or its generic equivalents from January 1, 1999, through February 28, 2003, are members of the proposed settlement group and can file a claim for recovery.